

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79265

Tatsuya MITSUGI, et al.

Appln. No.: 10/758,220

Group Art Unit: 2452

Confirmation No.: 5741

Examiner: Brian P. Whipple

Filed: January 16, 2004

For: INFORMATION TRANSMISSION APPARATUS AND INFORMATION
TRANSMISSION METHOD

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e).

Applicant notifies the USPTO of the following references which were cited in an Office Action issued on September 29, 2008 in corresponding German Patent Application No. 102004002879.6-53:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98
U.S. Appln. No.: 10/758,220

Attorney Docket No.: Q79265

JP 11-313060

GB 2 251 532

JP 2001-320367

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant also encloses herewith a copy of the German Office Action citing the above-noted documents, an English translation of the German Office Action, and an English language abstract for JP 11-313060.

Applicant notes that JP 2001-320367 was previously cited in an Information Disclosure Statement filed on July 10, 2007 in the USPTO. Therefore, JP 2001-320367 is not listed on the attached PTO/SB/08 A & B (modified) form.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 17, 2008

/Quadeer A. Ahmed/
Quadeer A. Ahmed
Registration No. 60,835

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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